

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:17-CV-487-D

CHRISTINE H. HUNT, and
LT. JOSHUA HARROLD,

Plaintiffs,

v.

THE UNITED STATES AIR FORCE, et al.,

Defendants.

ORDER


On March 26, 2018, defendants moved to dismiss plaintiffs' complaint [D.E. 21] and filed a memorandum in support [D.E. 22]. On May 16, 2018, plaintiffs responded in opposition [D.E. 32] and supplemented the response on May 24, 2018 [D.E. 33].

The court has reviewed the entire record and dismisses the action for failure to exhaust administrative remedies, failure to state a claim upon which relief can be granted, improper venue, and insufficient service of process. See Fed. R. Civ. P. 12(b)(1), 12(b)(3), 12(b)(5), 12(b)(6). Moreover, plaintiffs Christine Hunt and Christian Taylor lack standing. See Steel Co. v. Citizens for a Better Env't, 523 U.S. 83, 102-03 (1998); McBurney v. Cuccinelli, 616 F.3d 393, 402 (4th Cir. 2010).

Defendants Virginia Garner, Christopher Robinson, and Mary Anne Kiel are dismissed as individual defendants because they have been sued in their official capacities only and the United States is the only proper party in an action for injunctive relief. See F.D.I.C. v. Meyer, 510 U.S. 471,

475, 485-86 (1994); Dugan v. Rank, 372 U.S. 609, 620 (1963). Plaintiffs' motion for sanctions [D.E. 34] lacks merit and is DENIED.

SO ORDERED. This 20 day of July 2018.



JAMES C. DEVER III
Chief United States District Judge